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Children's views on contact with non-resident fathers in the context of domestic abuse

Policy and practice implications

- Parental separation should not be considered an end to domestic abuse or its impact.
- Domestic abuse (both historic and on-going) is a core concern for children when considering contact. Support for children should provide opportunities to talk about this and make sense of the contradictory feelings they may have towards their fathers.
- In the context of domestic abuse, children would benefit if any risk posed by fathers and accountability for abuse is addressed before contact takes place and if necessary monitored in an on-going way.
- Support for children should be sensitive and responsive to the impact that contact has for children's close and wider relationships.
- It is important that children's views about contact are contextualised. A narrow focus on whether or not children want contact with their father risks overlooking the strategic decisions that children make when considering contact. For instance, what contact may mean for reconnecting with their old home and their parents' new relationships.

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This briefing focuses on the factors that influence children's views about contact with non-resident fathers in the context of domestic abuse.

Background

In recent years the issue of children's contact with non-resident parents when there are allegations of domestic abuse has been increasingly debated. Some commentators argue that in circumstances of domestic abuse, contact with an abusive father may not be in the best interests of the child. To support these claims they point to evidence that domestic abuse adversely affects children (see Holt et al, 2008 for an overview), and domestic abuse often continues following separation (e.g. Stanley et al, 2011; Brownridge, 2006). There has been some academic work addressing the specific issue of children's views and experiences of contact when there is domestic abuse. This has found that children often have contradictory feelings about their fathers (Holt, 2013; Thiara and Gill, 2012; Mullender et al, 2002; Peled, 1998) and they may struggle to accommodate the conflicting sides of their father (Peled, 1998). Holt (2013) and Mullender (2002) report that children's desire to have contact was often linked to their analysis of their fathers' behaviour – whether they were able to 'change' or not. Another important factor relates to what children perceive to be their fathers' motivation for contact. Holt (2013) found that children who perceived contact to be a means to exert control, rather than maintain a relationship, were especially frustrated and apathetic about contact. She also found that the quality of the father-child relationship was most influential to children's experience of contact.

Changes made by the Family (Law) Scotland Act 2006 to the Children (Scotland) Act 1995, raised the profile of domestic abuse in parental disputes about contact. Section 11 (7A-C) of the Children (Scotland) Act 1995 now requires courts to take into account the need to protect the child from any abuse or

Key points

- Children held diverse views about contact with their non-resident fathers in the context of domestic abuse.
- Children's views about contact were affected by their fathers' previous and continued abuse, and the impact this abuse had on the children themselves and their mothers.
- Exposure to domestic abuse did not neatly predict whether children wanted contact with their fathers. Children developed their own analysis of their fathers' behaviour which influenced their views about contact.
- For many of the children, contact held significance beyond the relationship they had with their fathers; for example it was viewed as an opportunity to reconnect with their old lives, siblings and wider family members following separation. Several children identified their fathers' consumption of alcohol as having a negative influence on their views about contact.
- For the majority of children whose fathers had re-partnered, these new relationships and related step-children had a negative influence on their views about contact.

risk of abuse, the effects of such abuse, and the ability of the person to care for or meet the needs of the child, when making orders. The type of abuse that courts are required to consider includes domestic abuse. Despite this reform there has been no research in Scotland about children's views on contact when there is domestic abuse.

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The study

The research was qualitative with separate in-depth interviews carried out with children and their resident mothers. A total of 18 children and 16 mothers participated. The age of child participants ranged from 8-14 years: 8 were boys and 10 were girls. The majority of the families identified as White Scottish, one family identified as Asian and one as Chinese. Families were recruited from domestic abuse support services in both the voluntary and statutory sectors: This helped identify children who had experienced domestic abuse, parental separation and contact, while also providing a supportive setting in which to conduct the research. Non-resident fathers of the child participants were not included in this research. Fathers’ perspectives are of course important in any debate on contact and domestic abuse. However, the decision to not include fathers was made so as not to undermine the safety of children and mothers, and in a bid to ensure that the research was not dominated by the parental dispute about contact.

Findings

The children interviewed in this study held diverse views about contact. Views were shaped by children’s own unique circumstances, relationships and personalities. A few children were positive about contact; they looked forward to and enjoyed spending time with their father. Others were more ambivalent about contact. Some children did not articulate a strong view about contact, while others, despite expressing problems with contact, wanted it to continue. There were children who were entirely negative about the contact they had with their father; it was something that caused these children distress. For some these feelings of distress were compounded because contact had been court ordered and was contrary to their wishes. These children constructed contact as being forced rather than desired. There were a few children who had no contact with their fathers. Even when this was in accordance with their wishes, the relationships between children and fathers remained a difficult issue for them. These relationships evoked sadness and at times upset amongst children.

Domestic abuse

Domestic abuse and its continued impact on children and mothers was a core concern for many of the children. The children in the study were all aware that domestic abuse had taken place in their families. They provided examples of abuse that had taken place before separation and in many cases following separation. However the nature of domestic abuse or the extent of children’s exposure did not necessarily affect children’s views on contact in uniform ways.

Some children referred to their fathers’ both current and historical behaviour to explain why contact with them was problematic, and unwanted in some cases. Lisa¹ was adamant that she did not want contact with her father. She drew direct connections between her views and her father’s abusive behaviour:

Lisa: I just think with all the bad stuff he has done, I don’t want to see him at all.

Researcher: What bad stuff?

Lisa: Well he’s got drunk; he’s bent my finger back and stuff. He’s smashed one of those windows. He’s spat in my mum’s face and stuff.

This exemplifies how abuse directed towards children, as well as abuse directed towards mothers, may affect views that children have about contact and the relationships they want to have with their fathers. It highlights how enmeshed the interests of children and women can become in contact disputes when there is domestic abuse. When forming views about contact, children may consider their own and their mother’s experiences.

In other cases, domestic abuse did not necessarily prevent children desiring contact with their father. This was explored in an interview with John where he explained that he wanted contact if he could be reassured that his father “*wasn’t in one of his moods*”. This was said after John had listed several occasions where he had witnessed or been a direct victim of his father’s domestic abuse: The examples he gave included witnessing an assault on his mother whilst she was heavily pregnant; the setting fire to a sofa when he and the rest of her family were at home; and being forced with his mother and his siblings from a car in a remote area, and being left without any means to get home. These were all evidence of what his father was capable of if he was in ‘one of his moods’. John’s views on contact were influenced by whether his father’s mood or abuse could be contained during contact. The notion of wanting contact if their fathers’ behaviour could be controlled was raised in interviews with a number of children.

In a few cases, how children understood domestic abuse and the reasons for their parents’ separation appeared influential in their views in favour of contact. In Maria’s case, despite giving evidence to the police about a serious attack on her mother which her father was subsequently convicted of, who Maria believed to be responsible for domestic abuse seemed less obvious:

Maria: Yeah but em it wasn’t all my dad’s fault do you know what I mean? He reacted and that blew it up.

Researcher: So who was being violent to who?

Maria: My dad to my mum, but em, fair enough my dad shouldn’t have done that eh, but em, at the same time my mum used to sort of wind everyone up with the way that she acted. Do you know what I mean?

Maria appears to equalise responsibility for the abuse between both her mother and father. While she identifies her father as being violent towards her mother, she attempts to rationalise his violence by implying that her mother provoked him. This blurs responsibility for the abuse and perhaps allows Maria to excuse her father for the assaults he carried out. It was not clear what

“ The research provides a really useful insight into the complexity of issues for children and young people in contact arrangements where there is domestic abuse in the family. The study illustrates the different views and wishes of children on contact arrangements with their fathers. It confirms the challenges for people charged with responsibility for making decisions in terms of contact which take account of their views and are in the best interests of the child. ”

Tam Baillie
The Children and Young People’s Commissioner in Scotland

led Maria to this conclusion. However it mirrors how victims rationalise domestic abuse (e.g. Pain, 2012) and resembles reasons used by perpetrators of domestic abuse to legitimise or minimise the abuse they carry out (e.g. Harne, 2004). It also supports Peled’s (1998) interpretation that children struggle to accommodate the contradictory sides of abusive fathers.

Changes in children’s lives

In addition to domestic abuse, children’s views on contact were affected by a range of issues related to the changes in their lives following parental separation. In all cases, parental separation not only signalled changes to the relationships that children had with their fathers but also important changes to other aspects of their lives. In many cases these changes were exacerbated because parental separation had occurred in the context of domestic abuse.

• Becoming homeless

The vast majority of children had left the family home when their parents had separated. There were only three cases where children had remained living in their home following the separation. In all of the other cases children and women had become homeless. Many of these children had moved to a refuge. A few had to move to several different refuges because their father had discovered the refuge location and had made new threats to their mothers. There were other children who had lived with family members until issues concerning accommodation had been resolved. As Stafford et al (2008) report, homelessness as a consequence of domestic abuse means that children often move to an unfamiliar area. They have to change schools, leave friends, pets and possessions behind. For some children in this study this was not the first time that their parents had separated or the first time they had become homeless. While these significant disturbances were features of children and women’s lives, the majority of men continued to live in the family home. This meant that contact with a father was also a means for children to re-connect with their lives that had existed pre-separation.

• Siblings living apart

Six of the children had lived apart from a sibling since their parents’ separation. In all of these cases the sibling was the eldest male child in the family. For these children, contact held significance beyond the relationship they had with their father; it was also an opportunity to spend time with a sibling. In four of the six cases where siblings lived apart, contact between the children interviewed and non-resident fathers had ended as had any contact between their siblings and their mother.

As well as disrupting the parent and child relationships (that in some cases was welcome), an unwelcome consequence of contact ending was that siblings’ relationships were also disrupted, which was a source of distress and upset for the children concerned.

• Parents re-partnering

Difficulties that can arise for children as a result of parents re-partnering were often interwoven with children’s views about contact. In the majority of cases where fathers had formed a new relationship, children viewed their fathers’ new partners negatively. Children also identified their fathers’ new step-children as negatively influencing their views about contact.

• Wider family

Contact was identified by children as a means to continue relationships with their wider family. For some children, contact meant they were able to spend time with their wider family (including grandparents, aunts and uncles) as well as their father. However, there were several cases where children’s relationships with their extended family were jeopardised because of children’s views against contact and contact arrangements.

• Alcohol

Several children identified their fathers’ consumption of alcohol as a particular problem affecting the contact they had with them. They were concerned about their fathers’ drinking and the way that it affected their behaviour during contact. Children described being wary of their fathers, wondering whether they would be drunk during contact and what the repercussions of this might be.

Conclusion

This research confirms existing findings about the complexity of children’s views about contact with fathers in the context of domestic abuse. This research also highlights how contact held significance beyond the relationship children have with their fathers. The findings show the breadth of issues that children considered when discussing contact and the particular attention children paid to the impact that their views might have on others, and on their wider relationships. Parental separation does not only affect the relationship between the child and non-resident parent; it has ripple effects that involve other aspects of children’s lives. The presence of domestic abuse can complicate these further. When considering the views of the child, the context and the reasons that underpin these views are important and may offer insight into the child’s circumstances.

(cont.)

¹Pseudonyms are used throughout.